

1 Brent H. Blakely (SBN 157292)
2 bblakely@blakelylawgroup.com
3 BLAKELY LAW GROUP
4 1334 Parkview Avenue, Suite 280
5 Manhattan Beach, California 90266
6 Telephone: (310) 546-7400
7 Facsimile: (310) 546-7401

8 *Attorneys for Defendant*
9 *Phil Brown*

10
11 UNITED STATES DISTRICT COURT
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13 CENTRAL DISTRICT OF CALIFORNIA
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15 STEPHAN PERRY, an individual,

16 Plaintiff,

17 v.

18 PHIL BROWN, an Individual, and
19 DOES 1 through 10, inclusive,

20 Defendant.
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Case No. 2:18-cv-09543 JFW (SSX)

**DECLARATION OF PHIL BROWN IN
SUPPORT OF: 1) SPECIAL MOTION
TO STRIKE (CAL. CODE CIV. PROC.
§ 425.16) OR, ALTERNATIVELY, TO
DISMISS (FRCP 12(b)(6)), (ECF NO.
36); 2) MOTION TO DISMISS FOR
LACK OF PERSONAL
JURISDICTION (ECF NO. 37)**

Date: February 25, 2019
Time: 1:30 p.m.
Location: Courtroom 7A

Hon. John F. Walter

DECLARATION OF PHIL BROWN

I, Phil Brown, declare:

1. I am an individual residing in Nashville, Tennessee, and am the Defendant in this action. I make this declaration based on my own personal knowledge and, if called and sworn as a witness, I could and would competently testify hereto.

2. I have been a classically trained musician and songwriter since my childhood. I joined the band Little Feat in the early 1980's as Lowell George's successor on guitar and vocals. My songs have been recorded by Cher, Pat Benatar, Kim Carnes, Kix, Bonnie Tyler, and many others.

3. In or around 1990 I was introduced to Steve Perry by his manager, Bob Caballo, who also managed Little Feat, Earth Wind and Fire, Weather Report, and other bands.

4. In or around 1990 Perry and myself co-authored three songs together. We co-wrote the first three songs: *Can't Push the River*, *Somebody Somewhere*, and *Remarkable*. I wrote a fourth song, *It's Not Far Off*, which Perry also provided the vocals. ("Brown/Perry Songs") Both Perry and I provided vocals on the Brown/Perry songs; while I performed guitar, bass and percussion on the songs. The Brown/Perry songs were co-produced by both Perry and I. I always have maintained both creative and physical control over the four Brown/Perry songs.

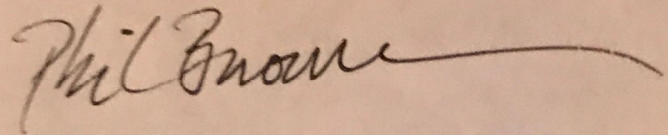
5. For the past six years I have lived in Nashville Tennessee. Prior to living in Tennessee, I resided in Austin Texas and Denver Colorado for approximately eight years. During that time, and continuing up to today, I do not own any property in California, conduct business in California, record songs in California, or otherwise have any significant contact with California.

6. Brenda Bann is my girlfriend; she has never been my business manager. Ms. Bann is not my business partner, does not have authority to bind me in transactions with 3rd parties, and does not exercise joint ownership and/or control over

1 the Brown/Perry songs.

2 I declare under penalty of perjury under the laws of the United States of
3 America that the foregoing is true and correct.

4 Executed on January 25, 2019, in Nashville Tennessee.

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